

TEXT AMENDMENT: HIGHWAY INTERCHANGE FLOATING ZONE (HIFZ) TO HIGHWAY INTERCHANGE OVERLAY ZONE (HIZ)

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CHAPTER V BUSINESS & INDUSTRIAL DISTRICTS

500 PURPOSE – BUSINESS & INDUSTRIAL DISTRICTS

500.1 BUSINESS 1 ZONE (B-1)

This zone is intended to establish areas of light commercial activities including neighborhood retail, services and professional offices. The character of the zone is intended to be small scale commercial activities that service the surrounding areas and integrate well with the neighboring residential development.

500.2 BUSINESS 2 ZONE (B-2)

This zone is intended to provide areas of commercial activity including community retail, business, service, professional offices, and other automotive dependent uses. The character of this zone is intended to be small to large scale commercial developments primarily serviced by automobiles.

500.3 TRANSITION ZONE 5 (TZ5)

The purpose of this zone is to allow existing residential areas to transition in an orderly means to a commercial area. The development of this zone should provide minimal impacts on existing residential development within the area.

500.4 MANUFACTURING ZONE 1 (M-1)

This zone is intended to provide areas for manufacturing, warehousing, wholesale, and other forms of commercial and industrial activities. The character of the zone is intended to be commercial in nature while still maintaining the small town community character.

500.5 HIGHWAY INTERCHANGE ~~FLOATING~~ ZONE (HIFZ)

The intent of the HIFZ is to establish a legal framework for land use alternatives that will provide the applicant with a wide variety of development opportunities; to encourage the economic development and fiscal improvement of the community by providing flexible development opportunities and responsiveness to market trends for land having high visibility and access to the major intersections of Route 5 with I-91 at Exit 44, and with Route 140 **AS DEPICTED IN THE HIZ MAP**; to empower the Town with a measure of control over the type and quality of development while encouraging mixed Industrial, Commercial, ~~and~~ Business **AND RESIDENTIAL** uses; and to insure that such development is accomplished in an orderly manner with minimal negative impact to neighboring areas and critical natural resources. **IMPROVEMENT OF THE UNDERLYING PARCELS SHALL RETAIN AS OF RIGHT DEVELOPMENT PER STANDARD ZONING REQUIREMENTS. FOR PARCELS SEEKING DEVELOPMENT IN THE HIZ OVERLAY AREA, AND** granted the HIFZ designation **THRU THE SPECIAL PERMIT PROCESS**, the bulk, **&** area **AND USE** requirements of the underlying zone shall not apply. (*amended/effective 7/28/14*). (**SEE HIZ MAP #XXX page ? FOR QUALIFYING LOCATIONS. Applications for designation as an HIFZ will be accepted for that area abutting: (1) Route 5 (a.k.a. Prospect Hill Rd.) commencing 600 feet North of its intersection with Route 140 (a.k.a. Bridge St. or North Rd.) and terminating at the Exit 44 Interchange of I-91; (2) Route 140 commencing 600 feet east of its intersection with Route 5 and terminating 600 feet west of the Exit 45 interchange of I-91, specifically including all Business and/or Industrial Zoned property located therein.**

500.6 BUSINESS 3 ZONE (B-3) – ROUTE 140 BUSINESS CORRIDOR

This zone is intended to provide for business development in order to increase the tax base, provide services and amenities to residents of the town and larger region, and provide jobs. The character of the zone is intended to provide a variety of uses and building types while managing environmental, traffic, and aesthetic/community character impacts. Planned developments with a village character and multiple uses on a parcel are desirable in this district.

501 BULK & AREA REQUIREMENTS – BUSINESS & INDUSTRIAL DISTRICTS

In business and industrial zones no building hereafter erected, reconstructed, remodeled or altered shall exceed the height, be located on a lot of less width and area, have smaller yards, or ground floor area than the minimum requirements listed below. (For uses permitted in any zone with a SUP see chapter 304)

ZONE	B-1	B-2	M-1	HIFZ	B-3	TZ5
Minimum Lot Requirements						
Frontage	100'	80'	200'	(2)	200'	100'
Width	100'	80'	200'	(2)	200'	100'
Depth	110'	110'	120'	(2)	110'	150'
Area - Sq. Ft.	15,000	12,000	60,000	43,560	40,000	20,000
Acreage	0.344	0.275	1.337	1.0	0.92	0.459
Minimum Yard Requirements						
Front Yard Setback (3)	50'	50'	60'	(2)	75'	50'
Side Yard Setback (5)	15'	15'	20'	(2)	15'	20'
Rear Yard Setback	30'	30'	30'	(2)	30'	20'
Maximum Lot Coverage						
Building(s)	20%	30%	35%	(2)	35%	25%
Impervious Surfaces	65%	65%	75%	(2)	65%	60%
Maximum Height Requirements						
Stories	4	2.5	4	(2)		2
Feet	50'(1)	30'	60'(1)	(2)		35'
Within 200' from Rte. 140 (4)					2 stories/25' ht.	
201 – 400' from Rte. 140 (4)					3 stories/37.5 ht.	
>400' from Rte. 140 (4)					4 stories/50' ht.	

Notes to Business and Industrial Bulk and Area Requirements

This table provides the general requirements for each zone; additional requirements may exist in other portions of the regulations. Where residential properties exist in business and industrial zones, the bulk and area requirements for the R-2 Zone shall apply.

- (1) In addition to the above requirements, where a building exceeds 35' in height, such building shall be set back from front, side and rear lot lines 2 additional feet for each additional foot of height.
- (2) See HIFZ regulations, ~~OR underlying zoning designation and site plan for existing sites.~~ **SITES MAY BE DEVELOPED AS PERMITTED THROUGH ZONING REGULATIONS BASED ON UNDERLYING ZONING, WHILE BULK AND AREA REQUIREMENTS FOR HIZ SHALL BE DETERMINED THROUGH THE GENERAL DEVELOPMENT PLAN/SPECIAL PERMIT PROCESS**
- (3) Canopies for automotive filling or re-energizing stations may be a minimum of 35 feet from the front property line. (added/effective 7/28/14).
- (4) As measured from the Route 140 right of way line closest to the property in the B3 Zone.
- (5) In business and industrial zones, the side yard requirements for non-conforming lots with less than the

required frontage is 10 percent of the frontage or 10 feet, whichever is greater. *(amended/effective 7/28/14)*

(6) Changes of use in existing buildings requires a zoning permit. *(added/effective 7/28/14)*

502 PERMITTED USES IN BUSINESS & INDUSTRIAL DISTRICTS

The following table identifies those uses permitted by zoning district. All business and industrial uses, developments, and new construction, except for minor changes in use, require site plan approval by the Commission. Any use not expressly permitted by the Commission shall be prohibited unless the Commission determines that a use fits into the established use groups. In addition, the Commission has the right to determine if any use meets the intent of the regulations.

Retail & Service Uses	B-1	B-2	M-1	HIFZ	TZ5	B3*
Retail Establishments (up to 30,000 square feet B3)	P	P		SUP	SUP	SUP
Service Establishments, Personal/Professional	P	P	SUP	SUP	SUP	SUP
Retail/Service Establishments – Over 30,000 square feet		SUP		SUP		
Day Care Centers; Nursery Schools	SUP	SUP	SUP		SUP	SUP
Dry Cleaning Establishments		P	P			SUP
Catering Establishments		P	P	SUP		SUP
Restaurants (4)	P	P		SUP	SUP	SUP(9)
Hotel	SUP	SUP	SUP	SUP	SUP	
Funeral Home, Mortuaries, Morgues	P	P			SUP	
Parking Lots		P				
Financial Institutions & Banks	P	P	P	SUP	SUP	SUP
Fitness Center, Max 10,000 sq. ft.						SUP
	B-1	B-2	M-1	HIFZ	TZ5	B3*
Office – General & Professional	P	P	P	SUP	SUP	SUP
Business & Professional Office Buildings	P	P	P	SUP	SUP	SUP
Contractor's Office and Storage Yard (8)		P/SUP	P/SUP			
Medical & Dental Laboratories	P		P	SUP	SUP	SUP
Nursing/Elder Care/Convalescent Homes	SUP	SUP		SUP	SUP	SUP
General Industrial Uses	B-1	B-2	M-1	HIFZ	TZ5	B3*
Wholesale Establishments			P			
Warehousing & Distribution – Non-hazardous materials			P	P		
Warehousing & Distribution – hazardous materials			SUP			
Research & Experimental Laboratories			P	P		SUP
Manufacturing – Light			P	P		SUP
Manufacturing – Heavy			SUP	P		
Volume Reduction Facility			SUP			
Composting, Mulching & Wood Chipping Facility <i>(added/effective 7/28/14)</i>			SUP			
Automotive Uses	B-1	B-2	M-1	HIFZ	TZ5	B3*
Automotive - Auto Body Repair Shop		SUP	SUP			
Automotive – Repair Establishment		P	P		SUP	
Automotive – New & Used Car Dealer		P	P		SUP	
Inventory Holding Areas (7) (Amended – effective 1/8/09)		P	P		SUP	
Automotive - Car Wash		P	P			
Automotive – Filling or Re-Energizing Station		SUP		SUP (12)		SUP(10)
Automotive – Retail		P			SUP	
Truck, Equipment, & Recreational Vehicle Sales		P	P			

Other Uses	B-1	B-2	M-1	HIFZ	TZ5	B3*
Commercial Recreation	SUP	SUP	SUP	SUP	SUP	SUP(11)
*Commercial and Trade Schools, and classrooms	P	P	P(1)		SUP	SUP
Alcohol Sales (2)	SUP	SUP	SUP	SUP		SUP
Adult Oriented Establishments			SUP			
Other Uses (continued)	B-1	B-2	M-1	HIFZ	TZ5	B3*
Drive Thru	SUP	SUP		SUP		SUP
Drive Thru for non-residential uses						SUP
Dog /Pet Daycare/Training//DOG Hotel/Kennel/Boarding	SUP	SUP	SUP	SUP	SUP	SUP
Dog/Pet Grooming/Pet shop/Retail, Veterinarian (3)	P	P	P(5)		SUP	SUP
Residential (6)	SUP	SUP		SUP (13)		SUP
Farms (See Chapter 305) (Amended Effective 8/1/2011)	P	P	P	P	P	
Museum						SUP
Live Theater				SUP		SUP
Art Gallery or Artist Studio				SUP		SUP
Multiple principal uses on one parcel				SUP		SUP

P = Permitted Use and SUP = Special Use Permit; B3* - Amended Effective 4/25/2012

Notes to Permitted Uses in Business & Industrial Districts

- (1) For Profit educational facilities permitted in M-1 zone
- (2) Liquor as an associated use with hotel, recreational use and catering permitted with special use permit, and may be limited to beer & wine.
- (3) Animal retail or service establishment tenant space must be separated by at least one other tenant space from any existing restaurant or food service establishment.
- (4) Restaurant or food service establishment must be separated by at least one other tenant space from any existing animal retail or service establishment.
- (5) Pet shop not permitted in M-1 zone
- (6) Residential units may be permitted above the first story, and provided the units are not exposed as part of the main façade, below the first story in commercial buildings. Those units below the first story must be limited to studio apartments not to exceed 900 square feet in area. All residential units in commercial buildings require a Special Use Permit and must meet the following conditions at minimum:
 - a. Public sewers and water shall be provided
 - b. Minimum horizontal floor areas for each residential unit shall be:
 - 1 Bedroom = 650 square feet
 - 2 Bedroom = 800 square feet
 - 3 bedroom = 1000 square feet
 - Efficiency/studio = 550 square feet
 - c. Buildings with residential units above the second floor shall be equipped with elevators of sufficient size to provide for emergency medical equipment serving residential areas only.
 - d. All requirements relative to fire safety boxes shall be met.
 - e. Parking shall be provided in accordance with section 601 of these regulations.
 - f. Landscaped areas with a ratio of 100 square feet per residential unit shall be provided. Landscaped areas required elsewhere in these regulations shall not be credited for this requirement.

The Commission may authorize by Special Use Permit the construction of residential units in structures separate from the commercial spaces provided that:

- a. The total square footage of commercial space provided is equal to at least twenty five percent of the total square footage provided.

- b. All of the requirements of Section 803 of these regulations regarding multi-family residential development are satisfied.
- (7) When Inventory Holding areas are allowed as a permitted use, the bulk and area requirements of the existing zone apply. When Inventory Holding Areas require a special use permit, the bulk and area requirements of Section 815 apply. (Amended – effective 1/8/09)
- (8) Contractors storage yard is permitted with up to 2000 sq. ft. of storage materials. Storage areas must be a minimum of 50 feet back from any property line. Storage of materials over 2000 sq. ft will require a SUP. No processing of materials is permitted on site. (Amended Effective 4/25/2012)
- (9) Sit down restaurants only (Amended Effective 4/25/2012)
- (10) Automotive filling station, with no automobile sales, service, or carwash (Amended Effective 4/25/2012)
- (11) Indoor recreation only (Amended Effective 4/25/2012)
- (12) **GAS STATIONS MAY ONLY BE PERMITTED IN THE HIZ IF ACCESS IS DIRECTLY TO ROUTE 5. PERMITTED LOCATIONS OF THE CORRIDOR ARE DEPICTED ON THE MAP #XXX.**
- (13) **RESIDENTIAL COMPONENTS MUST BE MIXED USE, ABOVE RETAIL AND/OR OFFICE USES. FIRST FLOOR USES MUST BE A MIN. OF 14 FOOT HEIGHT TO CEILING. RESIDENTIAL ON SECOND STORY AND HIGHER MUST ALLOW FOR 40% AFFORDABLE HOUSING WITH A MAX OF 2 BEDROOMS PER DWELLING UNIT. DENSITIES SHOULD REFLECT THOSE THAT ARE IN SECTION 802: MULTI- FAMILY DEVELOPMENT DISTRICT (MFDD) REGULATIONS.**

503 PERMITTED ACCESSORY USES

The following specific uses:

ACCESSORY USES	B-1	B-2	M-1	HIFZ	TZ5	B3*
Signs	P	P	P	SUP	P	P
Parking	P	P	P	SUP	P	P
Outdoor Merchandise Display	P	P	P			
Outdoor Storage		P	P	P	P	
Retail Sales	P	P	P	SUP		
Heliport			SUP	SUP		
Food services intended primarily for employees of, or visitors to a principal use						SUP
Sale of gifts, crafts, and souvenirs, when accessory to a permitted principal use						SUP

B3* Amended Effective 4/25/2012

504 HIGHWAY INTERCHANGE **FLOATING** ZONE

504.1 GENERAL CONCEPTS

In considering the appropriateness of the **HIFZ**, the Commission shall consider the following:

- a. That the potential exists for the zone to accommodate a wide variety of commercial land uses. That there be minimal restrictions on the location of these uses within the zone provided that compatibility with an adjacent development can be satisfactorily demonstrated.

- b. That all development exhibit a high standard of quality in construction detail materials and appearance. That development reflects accepted professional standards of **SCALE AND** design.
- c. That site planning is an essential criterion of the HIFZ. Sites' developed in the HIFZ are intended to be carefully planned, both within the sites own boundaries and in relation to surrounding properties.
- d. That sites within the HIFZ be developed in a manner to encourage the reduction of the number of driveway cuts onto arterial streets in order to mitigate the deterioration of traffic flow generally caused by driveways on arterial streets. Shared driveways (or provisions for future shared driveways), interior service drives, and related techniques shall be encouraged.
- e. That all development be sensitive to environmentally regulated areas within the HIFZ. That maximum effort be made to retain and integrate significant natural features into the development proposal wherever possible.

504.2 PERMITTED USES

Uses specified in Section 502 are deemed appropriate and permitted in the HIFZ but not at every or any location within the zone or without restrictions or conditions being imposed by reason of special problems of use, and the Commission shall have the discretion to decide whether the mixing of uses is appropriate. ~~and should be required or maintained.~~

504.2A PROHIBITED USES

- a) PAWN SHOPS
- b) TATTOO/BODY PIECING SHOPS
- c) MASSAGE PARLORS
- d) DRIVE THRU
- e) STAND ALONE CHECK CASHING
- f) ROOMING HOUSES
- g) STRIP MALLS
- h) AUTOMOTIVE USES, WITH EXCEPTION OF SERVICE STATIONS PER MAP
- i) INDUSTRIAL USES
- j) PUBLIC PLACES OF WORSHIP
- k) PRIVATE , SOCIAL, & MEMBERSHIP CLUBS, LODGES

504.3 SPECIAL PERMIT

All uses in this Zone shall be approved as part of the General Development Plan (GDP) special permit process and shall require a determination by the Commission that:

- a. Traffic or other hazards will not be created;
- b. General property values will be conserved;
- c. There will be no adverse effects on existing uses in the area;
- d. The general welfare of the community will be served;
- e. There will be no adverse impacts on the capacity of present and proposed utilities, streets, drainage systems, sidewalks, and other infrastructure;
- f. The Commission shall grant all approvals subject to such conditions and safeguards as will carry out the expressed purpose of this regulation.

504.4 CONSOLIDATED PARCELS

For purposes of integrated development **AND MINIMIZING CURB CUTS**, any number of contiguous parcels may be consolidated, and the consolidated parcel shall be construed to be one lot when computing building coverage and yard requirements, and permitted uses, provided:

- a. The owner of each lot shall give to the owner of each lot in the consolidated parcel by deed, easement, or agreement filed in the office of the Town Clerk, the right of entrance, exit, passage, parking and loading.
- b. The consolidated parcel is developed with an integrated plan of buildings, parking, loading and unloading.
- c. **IF STRUCTURES ARE PROPOSED OVER A PROPERTY LINE, PARCELS MUST BE LEGALLY COMBINED.**
- d. **MAXIMUM 75% IMPERVIOUS COVERAGE**

504.5 SITE APPEARANCE REQUIREMENTS

Development proposals for the HIFZ will be reviewed for appearance and compatibility. The following are general guidelines:

- a. Relationships to land uses in abutting zones and adjacent developments within the zone (compatibility) are important considerations that will be critically reviewed by the Commission. Concerns in this regard will include buffers (vegetative and architectural), building scale/massing/configuration/ height, light spill, emissions (noise), use intensity/frequency, and signage.
- b. ~~Building height shall be compatible with highway elevation and, for hotels that are proximate to Interstate 91, shall not exceed five stories or sixty five feet. Office buildings shall be appropriately scaled and may exceed the height limitations set for other business zones, but in no instance shall exceed three stories or 45 feet.~~
- B. **BUILDING HEIGHT SHOULD BE COMPATIBLE WITH THE ADJACENT ROADWAY AND HIGHWAY ELEVATIONS, WITH SCALE, MASS, AND PRESERVATION OF VIEWSHEDS CONSIDERED. MAXIMUM HEIGHT SHALL NOT EXCEED 5 STORIES OR 65 FEET FROM THE FOLLOWING REFERENCE POINTS WITHIN THE HIZ:**
 - 1) **EAST OF I-91: FROM THE AVERAGE GRADE PLANE OF ROUTE 5 ADJACENT TO THE PROPERTY;**
 - 2) **WEST OF I-91: FROM THE AVERAGE GRADE PLANE OF THE NEAREST ELEVATION OF I-91**
 - 3) **SOUTH OF EXIT 44: FROM THE AVERAGE GRADE PLANE OF THE NEAREST CORRIDOR, (RTE 5 OR I-91)**
 - 4) **TERRACING TO ALLOW THE BUILDING TO FIT INTO THE HILLSIDE, WHEN APPROPRIATE IS ENCOURAGED**
- c. All dumpsters shall be placed on a concrete pad and suitably screened with trees, shrubs, fencing or by other appropriate means.

- d. Landscaping shall be well planned and intended to minimize the effect of commercial development and vast areas of pavement. When appropriate, landscaping shall blend with adjacent sites.

E. THE DESIGN AND CONSTRUCTION OF BUILDINGS, OTHER STRUCTURES AND FACILITIES BY VIRTUE OF THEIR LOCATION, ORIENTATION, TEXTURE, MATERIALS, LANDSCAPING, GENERAL BULK, HEIGHT AND OTHER FEATURES SHOULD SHOW EXCELLENCE IN DESIGN.

F. ADEQUATE ON-SITE PARKING IS PROVIDED, WITH ACCOMODATIONS FOR BOTH COMPACT AND LARGE VEHICLES.

G. EFFORTS SHOULD BE MADE TO ENCOURAGE SEPERATION OF VEHICULAR AND PEDESTRIAN TRAFFIC WHENEVER POSSIBLE.

H. THE PERIMETER EDGE OF THE PROPOSED DEVELOPMENT SHOULD RELATE TO EXISTING DEVELOPMENT WITH RESPECT TO SCALE AND SETBACK.

I. LANDSCAPING, LIGHTING, GRAPHICS, AND STREET FURNITURE HAVE BEEN COORDINATED TO CREATE A PLEASING PUBLIC ENVIRONMENT. PUBLIC ART IS ENCOURAGED.

J. RECREATIONAL OR PARK LIKE SETTINGS SHALL BE SHOWN IN CONJUNCTION TO RESIDENTIAL DEVELOPMENTS.

K. ALL ITEMS IN CHAPTER 6 - SITE DEVELOPMENT STANDARDS SHOULD BE ADDRESSED, HOWEVER THESE REQUIREMENTS MAY BE MODIFIED OR WAIVED WITH APPROVAL FROM THE COMMISSION AS PER SECTION 504.13

L. ALL ROOFTOP UTILITIES MUST BE SCREENED IF VISIBLE FROM ANY ROADWAY

504.5 SIGNAGE REQUIREMENTS

- a. All signage is subject to approval from the Commission and must be designed as an integral part of the site plan. All sign locations shall be shown on the GDP and shall be described as to area dimensions, height, materials and purpose.
- b. In recognition of the special nature of the HIFZ, additional signage may be permitted, especially for sites that are highly visible from Interstate 91.
- c. Multiple tenant buildings will be allowed building signage for each tenant that has distinct, exclusive, building frontage with individual entrances. Separate building signage for tenants will not be allowed where tenants are sharing buildings that do not have distinct tenant space characteristics on the outside of the building. ~~No individual pole signs are permitted for multi-tenant buildings.~~
- d. ~~Hotels~~ STRUCTURES visible from Interstate 91 may have signs on the front and at each end of the building as necessary to identify the use from I-91. SIGNAGE FACING ROUTE 5 MUST BE SMALLER IN SIZE, WITH THE GOAL OF MEETING CURRENT SIGN REGULATIONS.

- e. Unless otherwise approved as part of the GDP, signs on the parcels approved for the HIFZ shall have the size, shape, location, and lighting as set forth in Section 602.
- f. **DIGITAL AND LED SIGNS MAY BE PERMITTED IN THIS ZONE. SUCH SIGNS MUST :**
 - 1. HAVE AUTO DIMMING RELATIVE TO AMBIENT LIGHT CONDITIONS
 - 2. DIRECTIONAL LIGHT TO REDUCE LIGHT POLLUTION
 - 3. LIMIT BRIGHTNESS TO 0.3 FOOT CANDLES
 - 4. STROBING IS NOT PERMITTED
 - 5. MESSAGING MAY CHANGE AT MINIMUM EVERY 5-10 SECONDS
 - 6. FRAME EFFECTS ARE ENCOURAGED

504.6 ALCOHOLIC BEVERAGES

Buildings and premises used for hotels, conference centers and restaurants may be used for the sale of alcoholic beverages for on premises consumption in accordance with Section 806 except that such proposed uses in the HIFZ shall be exempt from the dimensional requirements set forth therein.

504.7 APPLICATION PROCEDURES & REQUIREMENTS

- a. **Pre-Application Conference:** Applicants are encouraged to initiate a pre-application conference with the Commission to discuss the conceptual aspects of the proposed development and to prepare and present a conceptual plan, for informal consideration by the Commission. Neither the pre-application conference, the informal review of the concept plan, nor the Commission's suggestions shall be deemed to constitute approval or denial of any portion of the application.
- b. ~~**Application for HIFZ Designation:** Applicants with interests in property within the locations described in Section 504.1 may apply for HIFZ designation in accordance with the provisions of Section 900.6. The Commission may also require applicants to provide further documentation as may be reasonably necessary to make an adequate determination of the appropriateness of the proposal to the site and its fulfillment of the content of these regulations~~
- c. **Application for GENERAL DEVELOPMENT PLAN (GDP) VIA Special Permit:**
APPLICANTS WITH INTERESTS IN PROPERTY WITHIN THE BOUNDARIES AS REFERENCED ON MAP #XXX MAY APPLY FOR HIFZ DESIGNATION ~~Simultaneous with the application for HIFZ designation, or subsequent to the Commission's designation of an HIFZ,~~ In accordance with the requirements set forth in this district and in Section 900.5 of these regulations, the applicant shall file an application for a **GDP** Special Permit for all of the property located within the proposed HIFZ. The bulk & area requirements for the subject parcel shall be as described on the approved GDP (*amended/effective 7/28/14*). If the application is approved, the establishment of the HIFZ shall permit the applicant to proceed with completion of the development as set forth in the GDP, subject to obtaining site plan approval in accordance with Section 900.2 **AND 900.3** for the specific uses approved in the GDP.
- d. **Site Plan Approval:** After the approval of the GDP special permit, no permits shall be issued for uses permitted therein until the Commission has reviewed and approved site plans for the uses approved in the GDP.
- e. **Subdivision Application:** If the GDP depicts the division of the subject property so as to create a subdivision or re-subdivision, an application shall be required prior to any conveyance of land requiring approval pursuant to such regulations.

504.8 GENERAL DEVELOPMENT PLAN (GDP)

The GDP shall consist of one or more maps at a scale of not less than 1" = 100', prepared by a certified design professional and accompanying documents, and shall show or indicate:

- a. Existing structures, existing topography at ~~TWO~~ **five**- foot contours, existing roads and paths, major topographic features, slopes of greater than ten percent grade and the location points of scenic interest, and wooded and open areas, **AND ANY ENVIRONMENTAL CONSTRAINTS SUCH AS FLOODPLAIN AND REGULATED WETLANDS AREAS.**
- b. The location of adjoining properties, the names of the owners of such properties as these appear on the latest records in the office of the Assessor; and the existing structures and land uses within 500 feet of the boundaries of the proposed development.
- c. Present and proposed land uses within the boundaries of the entire proposed development, whether commercial, service, ~~open-space~~ **BUFFERS, LANDSCAPING**, or **GREENSPACE** ~~other~~, and the acreage assigned to each. Proposed square footage of building or floor area for all proposed uses shall be shown and described in sufficient detail to clearly indicate the nature and scale of the proposed uses. The proposed footage as shown shall establish the **MAXIMUM BUILDING SIZES AND HEIGHT** and the areas within which it will be permissible to construct such buildings.
- d. The location of proposed major thoroughfares, and proposed vehicular and pedestrian circulation patterns, including location and dimension of private and public streets, and including proposals for linkage of roads within the zone to the Town and State Highway system, accompanied by a traffic impact and access analysis study.
- e. Bulk and area requirements shall be shown on the GDP and a zoning table including existing and proposed bulk and area requirements shall be provided. This shall include all parking, loading and signage requirements.
- f. Whether property within the entire zone is to be developed in phases or units, and if it is to be so developed the anticipated location and acreage of such phases or units; and a proposed timetable for development.
- g. The intended means of providing utility services to the development, including: domestic water supply and fire protection, storm drainage management (including area for detention, if applicable), sanitary sewage disposal (the applicant shall submit an estimated average daily flow rate for the proposed development to the WPCA), and solid waste disposal.
- h. The location of any "inland wetland" or "water courses" and "upland review areas" as defined in Section 22a-36 et. Seq. of the Connecticut General Statutes.
- i. A map or statement indicating the projected amount and locations of **BUFFERS, GREENSPACE, PEDESTRIAN PLAZAS AND LANDSCAPING** ~~open-space~~ within the entire ~~zone~~ **PARCEL**, and the proposals for maintenance of **SAME**
- j. A statement regarding anticipated costs and revenues to the Town as a result of the anticipated land uses.
- k. Such other relevant information as the applicant may wish to submit.

504.9 ACTION ON GDP

The Commission shall approve, modify and approve, or ~~disapprove~~ **DENY** the GDP. Any **Special Permit SITE PLAN** for any use within the approved **HIFZ** shall conform to the approved GDP Use, except to the extent that the Commission approves or requires a departure there from. No permits shall be issued, nor shall any construction activity of any kind commence, for any work depicted on an approved GDP until

such time as a Site Plan has been approved, **ASSOCIATED BONDING IS IN PLACE, AND A PRECONSTRUCTION MEETING HAS BEEN HELD WITH STAFF.**

504.10 RECORDING

The applicant shall, within ninety days of approval of any **HIFZ GDP**, record notice thereof in the East Windsor Land Records under the name of the record owner of land affected thereby, giving a legal description of the land, and giving specific reference to the approved plan(s) and map(s); and, further, the applicant shall comply with all other applicable requirements of the East Windsor Zoning Regulations regarding the filing of approved Special Permits.

504.11 CHANGES TO GDP

An approved GDP may be changed or a special permit may be approved with changes from an approved GDP, subject to the approval of the Commission. Material changes to any plan shall require a public hearing. A material change shall be (a) any change in land use types or (b) any increase in floor area ratio, or (c) increase in traffic generated by the site uses which add more than 100 trips at a single point during peak hour. Non-material changes shall include changes in the location of buildings, parking areas, landscaped areas or open space areas provided the area, height and bulk criteria of the regulations and the approved plan are not exceeded. Non-material changes may be permitted by the Commission or staff as an administrative matter provided the general intent and scope of the GDP has not been changed.

504.12 PROHIBITION OF APPROVAL OR MODIFICATION BY VARIANCE

As a unique zone that holds great implications for a well- planned highway corridor, no use in this zone shall be permitted by a use variance granted by the Zoning Board of Appeals.

504.13 WAIVERS –ANY REQUIREMENT IN THIS SECTION 504 ,EXCEPT FOR USES, MAY BE WAIVED BY A POSITIVE VOTE OF A SUPER MAJORITY OF THE COMMISSION (I.E. 4 OF 5 VOTES)

504.14 GRANDFATHERING – ALL EXISTING USES AND APPROVALS WITHIN THE HIZ SHALL BE GRANDFATHERED IF NONCONFORMING WITH THESE REGULATIONS
[INSERT ADOPTION DATE OF AMENDMENTS]

AMENDMENTS TO OTHER SECTIONS IN ZONING REGULATIONS

304 USES PERMITTED IN ANY ZONE (Amended August 1, 2011)

The following uses shall be permitted provided the use meets the Special Permit provisions of Chapter VII and is approved by the Commission, unless otherwise noted.

- a. Municipal Uses (including Board of Education, WPCA, and Fire Districts), Public Schools, Libraries, Museums, Parks, Playgrounds
- b. Public Places of Worship **(NOT PERMITTED IN HIZ)**
- c. Federal and State Facilities
- d. Public Utility Facilities (not to be interpreted as infrastructure)
- e. Private Clubs, Membership clubs, Lodges, Social clubs **(NOT PERMITTED IN HIZ)**
- f. Recreational Uses
- g. Farms - See Chapter 305 – FARM REGULATIONS – for requirements.

Special Permit uses permitted under this section in residential and agricultural zones shall comply with the bulk and area requirements for the B-2 Zoning District.

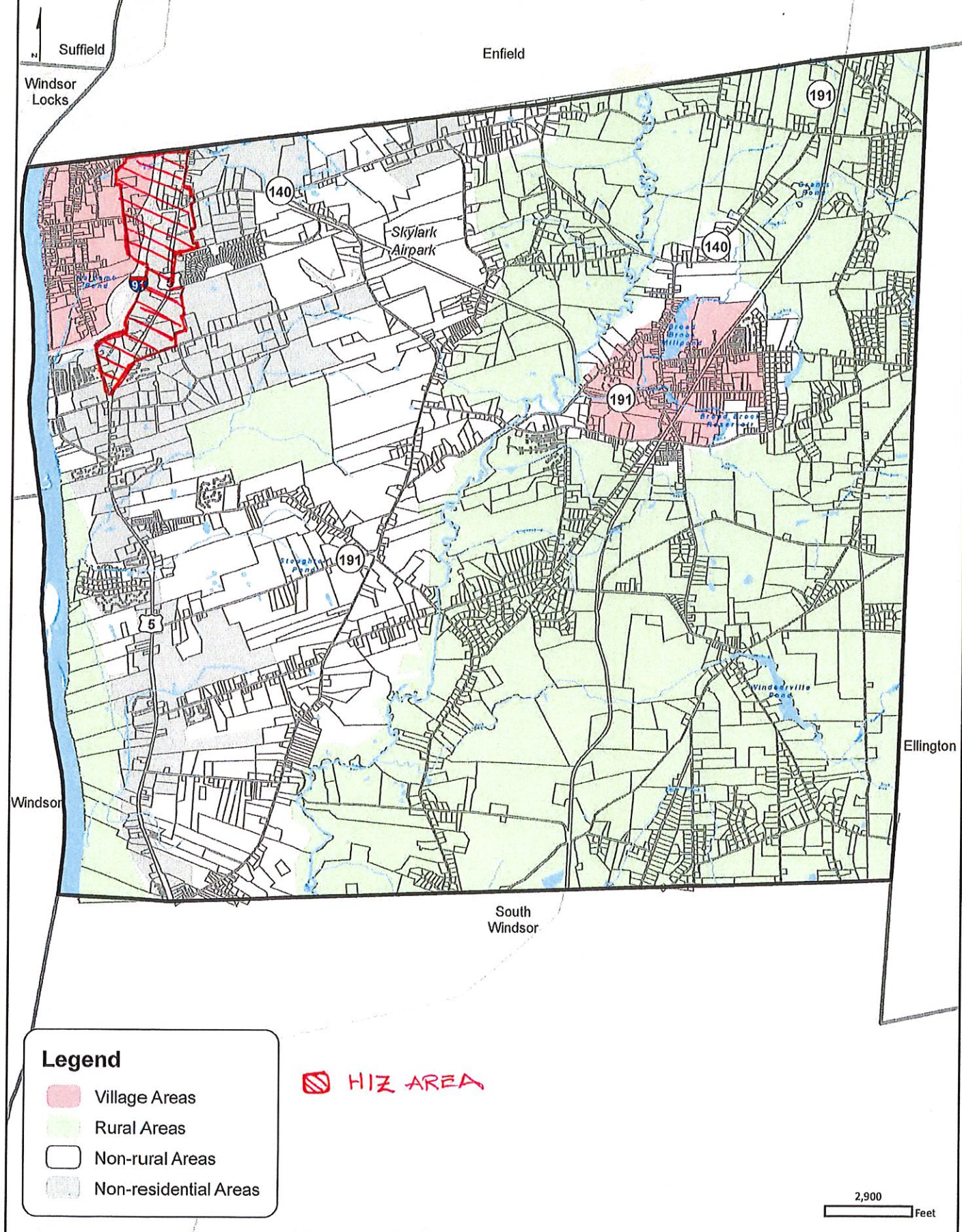
POCD 2016: PROPOSED AMENDMENTS

FROM PG. #34 *SEE MAP - ADD HIZ AREA TO RESIDENTIAL GROWTH AND GUIDE PLAN

FROM pg. #35 *DELETE RESIDENTIAL DENSITIES PLAN – SEE ATTACHED

Residential Growth and Guide Plan

East Windsor, CT



DELETE From 2016 POCD

Residential Densities Plan

Town of East Windsor, CT

